REMARKS

Claims 1-22 are pending.

Claims 1-22 stand rejected.

Claims 1, 3, 4, 7, 8, and 13-22 have been amended.

Claim Rejections - 35 U.S.C. § 101

Claims 1-22 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter and as not being supported by either a specific asserted utility of a well established unity.

Applicants have amended claims 1, 3, 4, and 22 to recite "combining the first and second configuration models into a single, consolidated model that maintains a non-cyclic chain of dependencies among families and features of families for use in answering configuration questions." Applicants respectfully submit that the "single, consolidated model" is clearly a useful, tangible, and concrete result. The claims clearly recite that the "single, consolidated model" produces a useful result, i.e. "for use in providing an answer to configuration questions." Claims 1, 3, 4, and 22.

Applicants respectfully submit that the "single, consolidated model" is a real-world result of a practical application. The Manual of Patent Examining Procedure (MPEP §) § 2106 states that, "The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing." "However, the tangible requirement does require that the claim must recite more than a 35 U.S.C. 101 judicial exception, in that the process claim must set forth a practical application of that judicial exception to produce a real-world result." *Id.* Applicants respectfully submit that invention recites a practical application of "combining the first and second configuration models" that produces a real-world result, i.e. "a single, consolidated model that maintains a non-cyclic chain of dependencies among families and features of families for use in answering configuration questions." Claims 1, 3, 4, and 22.

Applicants respectfully submit that result is "concrete". "Another consideration is whether the invention produces a "concrete" result." MPEP § 2106. "Usually, this question arises when a result cannot be assured." *Id*. "In other words, the process must have a result that can be substantially repeatable or the process must substantially produce the same result again." *Id*. "The process must have a result that can be substantially repeatable or the process must substantially produce the same result again." *Id*. Applicants respectfully submit that "combining the first and second configuration models" as set forth in claims 1, 3, 4, and 22 consistently results in "a single, consolidated model that maintains a non-cyclic chain of dependencies among families and features of families." Claims 1, 3, 4, and 22.

Accordingly, Applicants respectfully submit that the "single, consolidated model that maintains a non-cyclic chain of dependencies among families and features of families for use in answering configuration questions" clearly represents a useful, tangible, and concrete result.

Accordingly, Applicants respectfully request withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 112

Claims 1-22 stand rejected under 35 U.S.C. § 112, first and second paragraphs. Applicants respectfully traverse the rejections.

A. The 35 U.S.C. § 112, first paragraph rejection is based upon the same rationale as the 35 U.S.C. § 101 rejection. Accordingly, Applicants respectfully request withdrawal of the rejection for the same reasons set forth above with respect to the 35 U.S.C. § 101 rejection.

B. Claims 1-22 are also rejected under 35 U.S.C. § 112, first paragraph for failing to comply with the written description requirement based upon applicant's previous arguments. Applicants respectfully disagree with the rejection. Nevertheless, Applicants have amended claims 1, 3, 4, and 22 to clearly distinguish between the present invention and *Lichtenberg* based upon the language recited in the claims alone.

C. Claims 1-22 are also rejected under 35 U.S.C. § 112, second paragraph because "it is not clear which statutory category the claim should be examined under - i.e. a "method" claim of a "system" claim. Applicants have deleted "using an automated process". Applicants respectfully submit that claim 1 recites a "method", claim3 recites a "computer system", claim 4 recites a "computer readable medium", and claim 22 recites a "computer system". Applicants respectfully submit that all of the claims are recited within single statutory categories. Accordingly, Applicants respectfully request withdrawal of the rejection.

D. Applicants expressly invoke 35 U.S.C. § 112, para. 6 for claim 22. The Office Action states that there is no support indicated in the specification for claim 22 as a means-plus-function claim under 35 U.S.C. §. 112, para. 6. Applicants respectfully refer the Examiner to, for example, Figures 10 and 11 as described in paragraphs 55-152, which set forth an exemplary process executable by, for example, the computer system of Figure 13. Accordingly, Applicants respectfully request withdrawal of the rejection.

Claim Rejections - 35 U.S.C. § 102

Claims 1-22 stand rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Publication No. 2002/0165701 to Lichtenberg et al. (hereinafter "*Lichtenberg*"). Applicants respectfully traverse the rejection.

Initially, Office Action, p. 13, states that "it is noted that the features upon which applicant relies (i.e., type of rules to detect conflict - e.g. exclude type rules) are not recited in the rejected claims." Office Action, p. 13. Applicants respectfully submit that the discussion of "exclude type rules" was a discussion of the teachings of *Lichtenberg* to point out that the *Lichtenberg* is not teaching about a conflict of rules but rather is teaching about the distinct concept of compatibility of alternatives. The discussion was not a characterization of the present invention.

Additionally, the Office Action p. 14 states that "it is unclear what "release of a product" has to do with combining a DAG." Applicants have amended the claims to delete references to release of a product. However, the release of a product is described

in the present application, with respect to products defined by configuration models (e.g. paras. (55)).

"To anticipate [under 35 U.S.C. § 102], every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001).

Applicants respectfully submit that the claims, as amended, are allowable over *Lichtenberg* because, for example, *Lichtenberg* neither teaches nor suggests, for example:
identifying a conflict between at least two of the configuration models …;
extending at least one of the ancestor configuration model family spaces of the
conflicting configuration models so that the ancestor configuration model
family spaces of the first and second conflicting configuration models
represent the same ancestor configuration model family space; [and]
removing from the child configuration model family space any configuration
space extended in the ancestor of the child configuration family space.
Claims 1, 3, 4, and 22.

Lichtenberg teaches "obtaining the number of all possible compatible products comprising at least one chosen alternative for each of the products for which an alternative is chosen and providing this information to the user." *Lichtenberg*, para. 0062. *Lichtenberg* also teaches "combining two DAGs". *Lichtenberg*, para. 0076. *Lichtenberg* teaches that:

[0076] Providing an ordering facilitates a number of operations on the DAG, such as searching in a DAG and combining two DAGs.

[0077] In order to maintain a suitable DAG, the representing of the rules in the DAG may further comprise the steps of:

[0078] identifying a first and a second node having the same expression and the pointers of which point to the same nodes, and

[0079] having pointers pointing to the first node point to the second node.

[0080] In that situation, two nodes actually representing the same contents are reduced to only one.

Rather than simply reducing two nodes representing the same contents to only one, the present invention recites "identifying a conflict between at least two of the configuration models." Claims 1, 3, 4, and 22. Furthermore, Applicants respectfully submit that foregoing teachings of *Lichtenberg*, thus, neither teach nor suggest:

extending at least one of the ancestor configuration model family spaces of the conflicting configuration models so that the ancestor configuration model family spaces of the first and second conflicting configuration models represent the same ancestor configuration model family space; [and] removing from the child configuration model family space any configuration space extended in the ancestor of the child configuration family space. Claims 1, 3, 4, and 22.

Since, "To anticipate [under 35 U.S.C. § 102], every element and limitation of the claimed invention must be found in a single prior art reference, arranged as in the claim." *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001), and *Lichtenberg* does not teach or even suggest every element and limitation of the claimed invention, Applicants respectfully request withdrawal of the rejection.

Regarding the response to Applicants remarks in the previous Office Action, Applicants respectfully disagree with the conclusions drawn in the Office Action with respect to claims dependent upon claims 1, 3, and 4. However, since the dependent claims incorporate all of the limitations of the independent claims upon which each indirectly or directly depends, Applicants will forego submitting reasons for the allowability of each dependent claim. Applicants respectfully submit that claims 2 and 5-21 are allowable for at least the same reasons as claims 1, 3, and 4.

CONCLUSION

In view of the amendments and remarks set forth herein, Applicant respectfully submits that all pending claims are in condition for allowance. Accordingly, Applicant

requests that a Notice of Allowance be issued. Nonetheless, should any issues remain that might be subject to resolution through a telephone interview, the Examiner is requested to telephone the undersigned at 512-338-9100.

<table>
<tr><td>FILED ELECTRONICALLY
April 7, 2008</td></tr>
</table>

Respectfully submitted,

/Kent B. Chambers/

Kent B. Chambers
Attorney for Applicant(s)
Reg. No. 38,839